

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

**August 2021 CIVIL TRIAL LIST**

This list contains both Bangor and Portland civil cases that will be scheduled for trial during the month of August, 2021. Counsel are advised to review this information carefully.

**Jury Selection**<sup>1</sup>

- Jury selection in Portland cases is scheduled for August 2, 2021 and August 3, 2021 at 9:00 a.m.
- Jury selection in Bangor cases is scheduled for August 4, 2021 and August 5, 2021 at 9:00 a.m.

**Final Pretrial Conferences**

Final pretrial conferences have been scheduled before the Magistrate Judge or District Judge designated on the trial list. Final pretrial memoranda shall be filed one week prior to the scheduled conference.

**Juror Questionnaires**

Jurors summoned for selection are required to complete a questionnaire containing questions that will not be asked during jury impanelment. These questionnaires will be available in CM/ECF seven (7) days prior to selection and counsel are to review those questionnaires prior to selection. Only those questionnaires that are not available in CM/ECF will be available for review on the day of jury selection. Counsel of record will be provided access to these documents through the date of jury selection, after which the questionnaires will not be available for review.

**Motions for Continuance**

Any motion for a continuation of trial and motions for protection from trial shall be filed two weeks before the scheduled final pretrial conference. Motions filed thereafter will be considered by the Court only on a basis of cause for continuation.

**Discovery Deadlines**

Absent some excusable circumstance, discovery initiatives must be initiated sufficiently in advance of the discovery deadline to permit the opposing party to file, in advance of the discovery deadline, its appropriate response within the period allowed by the civil rules for such purpose.

A Summary of First Circuit Authority Concerning Opening Statements and Closing Arguments and the most recent Maine Local Rules can be found on the District Court's Internet Home Page at <a href="http://www.med.uscourts.gov">www.med.uscourts.gov</a> .
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<sup>1</sup> The Court will ordinarily plan to select 3 juries per day, with the second day held in reserve. Counsel should be prepared to select a jury on the first day, regardless of position on the trial list. The Court will notify counsel as soon as practicable if the second day is not needed.

Federal Rule of Criminal Procedure 50 requires that scheduling preference be given to criminal proceedings, raising the possibility that a civil case will be initially scheduled for the second day of impanelment.

**PORTLAND**

1)	JEFFREY JOSEPH <u>Civil No. 2:18-cv-00443-LEW</u> (Jury)	v.	LINCARE, INC.
	Andrew P. Cotter, Esq. James A. Clifford, Esq.		Melissa A. Hewey, Esq. Jeana M. McCormick, Esq.
	Telephonic Final Pretrial Conference scheduled for June 30, 2021 at 10:00am before Magistrate Judge John C. Nivison.		
2)	MARIANA ACOSTA, et al. <u>Civil No. 2:20-cv-00135-JAW</u> (Jury)	v.	INTER-COAST INTERNATIONAL CAREER TRAINING, INC., et al.
	Danielle M. Quinlan, Esq. Laura H. White, Esq.		William M. Ojile, Jr., Esq. James B. Haddow, Esq.
	Final Pretrial Conference scheduled by videoconference for July 7, 2021 at 1:00pm before Magistrate Judge John C. Nivison and Judge John A. Woodcock, Jr.		
3)	BARRETTE OUTDOOR LIVING, INC. v. <u>Civil No. 2:20-cv-00213-JDL</u> (Jury)		INTEGRITY COMPOSITES, LLC, et al.
	Daniel J. Mitchell, Esq. Eviana Englert, Esq.		Christopher M. Candon, Esq. Michael J. Lambert, Esq. James S. Lamontagne, Esq. Benjamin Wahrer, Esq. James M. Bowie, Esq.
	Final Pretrial Conference scheduled by videoconference for July 8, 2021 at 3:00pm before Judge Jon D. Levy.		

**BANGOR**

1)	<p><b>TIMOTHY NOLL</b>  <u>Civil No. 1:15-cv-00493-LEW</u>  (Jury)</p> <p>Scott A. Moriarity, Esq.  Amy P. Dieterich, Esq.  Brian D. Clark, Esq.  Charles E. Schaffer, Esq.  Christopher D. Jozwiak, Esq.  David M. Cialkowski, Esq.  J. Gordon Rudd, Jr., Esq.  Rachel A. Kitze Collins, Esq.  Shawn J. Wanta, Esq.  Susan E. Ellingstad, Esq.</p> <p>Telephonic Final Pretrial Conference scheduled for June 30, 2021 at 11:30am  before Magistrate Judge John C. Nivison.</p>	v.	<p><b>FLOWERS FOODS INC., et al.</b></p> <p>A. Craig Cleland, Esq.  C. Garner Sanford, Jr., Esq.  Margaret S. Hanrahan, Esq.  Frederick B. Finberg, Esq.  Kevin P. Hishta, Esq.  Peter Bennett, Esq.</p>
2)	<p><b>OFFICIAL COMMITTEE OF  UNSECURED CREDITORS</b>  <u>Civil No. 1:18-cv-00068-NT</u>  (Jury)</p> <p>Fred W. Bopp, III, Esq.  Jay S. Gellar, Esq.  Jeremy R. Fischer, Esq.  Melissa A. Hewey, Esq.</p> <p>Final Pretrial Conference previously held.</p>	v.	<p><b>CALPERS CORPORATE PARTNERS,  LLC, et al</b></p> <p>Adam J. Shub, Esq.  Anthony J. Manhart, Esq.  Caitlin Ross, Esq.  Danielle Vrabie, Esq.  Hannah Wigger, Esq.  Paul Anthony Werner, III, Esq.  Edward H. Tillinghast, III, Esq.  Rena Andoh, Esq.</p>
3)	<p><b>MARY PURINGTON-BAILEY</b>  <u>Civil No. 1:19-cv-00424-JDL</u>  (Jury)</p> <p>Gary Goldberg, Esq.  Alexis G. Chardon, Esq.</p> <p>Final Pretrial Conference scheduled by videoconference for July 8, 2021 at 11:30am  before Judge Jon D. Levy.</p>	v.	<p><b>WAL-MART STORES EAST LP</b></p> <p>Daniel R. Mawhinney, Esq.</p>

- 4) WILMINGTON TRUST NATIONAL ASSOCIATION v. TREASE N. VIGNEAULT, et al.  
Civil No. 1:19-cv-00572-DBH  
(Bench)

John A. Doonan, Esq.  
Reneau J. Longoria, Esq.

Stephen R. Vigneault, Pro Se.

Final Pretrial Conference scheduled by videoconference for June 28, 2021 at 10:00am  
before Judge D. Brock Hornby.

- 5) RICKY SOUCY, SR. v. SERGEANT THOMAS AVERILL, et al.  
Civil No. 1:20-cv-00024-JDL  
(Jury)

Ricky Soucy, Sr., Pro Se

Valarie A. Wright, Esq.

Final Pretrial Conference scheduled by videoconference for July 8, 2021 at 1:30pm  
before Judge Jon D. Levy.

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

**ELECTRONIC EVIDENCE PRESENTATION**

The U.S. District Court for the District of Maine offers audio/visual equipment for use during hearings and trials. While each courtroom accommodates a different configuration of audio/visual equipment, they each accommodate the use of the Electronic Evidence Presenter (EEP). **Counsel must reserve the equipment well in advance of trial.**

The EEP consists of a digital document camera, a video cassette or digital video disk (DVD) player, and a projector. Images of exhibits are displayed using the digital document camera, which permits the judge, attorneys, witnesses and jury to view the images simultaneously. Using this equipment, the operator can zoom in on the most critical area of the exhibit in detail.

The EEP also allows attorneys to connect a laptop for presentation of evidence using PowerPoint or other presentation software. Attorneys **MUST** provide their own technical assistance in preparing the laptop evidence presentation. The Court will not troubleshoot compatibility problems for attorneys using the EEP.

**Attorneys who wish to use courtroom audio or visual equipment at a trial or hearing are required to understand and be prepared to operate the equipment.**

**Attorneys who plan to use their own electronic equipment (such as laptops) at a hearing or trial must schedule time well in advance to practice and to test their equipment's compatibility with a courtroom's system.**

Practice time should be scheduled with the Information Technology (IT) staff listed below for a date not less than two weeks prior to a hearing or trial.

The Court may deny the use of audio/visual equipment during a hearing or trial to attorneys who have failed to attend a practice session to confirm their equipment's compatibility with the court's system.

For Reservations Contact:

U.S. District Court I.T. Department

[Helpdesk@med.uscourts.gov](mailto:Helpdesk@med.uscourts.gov)

207-274-5117